

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 442 - SB 860

March 1, 2017

SUMMARY OF BILL: Requires owners of non-charitable donation receptacles to change notification signs indicating the receptacle is a non-charitable recycling receptacle. Requires owners of non-charitable recycling receptacles to remove the receptacle within seven days of receiving written request from the owner of the property where the receptacle is displayed. Authorizes owners of property where such receptacles are located to remove and dispose of the receptacle and its contents, if the owner of the receptacle did not receive prior permission to place the receptacle on the property, and such property owner may invoice the receptacle owner for the cost of removal. Adds persons who maintain such receptacles to the oversight of the Division of Consumer Affairs within the Department of Commerce and Insurance for investigation purposes. Directs that certain actions by owners of non-charitable recycling receptacles are considered criminal trespass.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Changes to the method that non-charitable recycling receptacles are displayed and collected by private citizens will not result in any significant fiscal impact to state or local government.
- According to the Department of Commerce and Insurance, investigation of complaints against owners of non-charitable recycling receptacles will not result in any significant increase in state expenditures.
- Criminal trespass is a class C misdemeanor pursuant to Tenn. Code Ann. § 39-14-405(g). There will not be a sufficient change in the number of prosecutions for state or local government to experience any significant change in revenue or expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

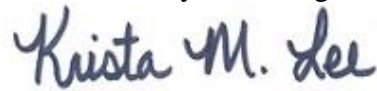
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Assumptions:

- In the event a private property owner invoices a non-charitable organization for removal of a recycling receptacle, there could be an increase in the expenditures of the non-charitable organization; however any increase in business expenditures is estimated to be not significant.
- Passage of this bill will not result in any significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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